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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

FOR:

KYM JOHN KEIGHTLEY

SERIAL NO.

A DUAL LOCK APPARATUS

FILING DATE:

10/536,615

EXAMINER:

May 26, 2005

ART UNIT:

Christopher J. Boswell

CONFIRMATION NO.:

3676

LAST OFFICE ACTION:

9089

ATTORNEY DOCKET NO.

March 2, 2007

1849023US1ANP

PETITION FOR UNINTENTIONALLY DELAYED PRIORITY CLAIM UNDER 35 U.S.C.
120 AND IN ACCORDANCE WITH 37 C.F.R 1.78 (a)(3)

MAIL STOP PETITIONS
Assistant Commissioner of Patents
P.O. Box 1450
Alexandria, VA 222313-1450

Dear Sir:

Applicant hereby petitions for the acceptance of an unintentionally delayed priority claim under 35 U.S.C. 120 or in the alternative under 35 U.S.C. 365(c).

The facts behind the priority claim are as follows:

Applicant filed the following applications:

08/07/2007 EFLORES 00000027 10536615
01 FC:1454 1370.00 DP

Australian Application PC 7576, filed May 18, 2000

PCT/AU01/00579, filed May 18, 2001 claiming priority from PQ 7576

US 10/276,574, filed November 14, 2002, national stage of PCT/AU01/00579, now Patent No. 6,964,183.

and

Australian Application No. AU 2002953027, filed November 29, 2002

PCT/AU03/01596, filed December 1, 2003, claiming priority from AU2002953027

US 10/536,615, filed May 26, 2005 - national stage of PCT/AU03/01596.

Applicant's Australian attorneys recently advised Applicant's US attorneys that the Australian Application AU 2002953027 should have been filed as a continuation-in-part of Australian application PQ 7576. Consequently, PCT/AU01/00579 should be a continuation-in-part of PCT/AU03/01596. Therefore, the present application is a continuation-in-part of Application Serial No. 10/276,574.

This petition is accompanied by the reference required by 35 U.S.C. 120 and 37 C.F.R. 1.78(a) 2 in the form of the attached request for amendment to page 1 of the specification of the instant application.

The petition is further accompanied by the surcharge required under 37. C.F.R. 1.17(t) in the amount of \$1,370. Applicant hereby authorizes withdrawal of any additional funds that may be required from Deposit Account #19-0083.

Applicant hereby states that the entire delay between the date the claim was due

under 37 C.F.R. 1.78 (a) 2(ii) and today's date was unintentional.

Applicant submits that Applicant is entitled to claim priority from Application Serial No. US 10/276,574, in that the instant application, filed May 26, 2005, was co-pending with Application No. 10/256,574, the latter case having an effective filing date of May 18, 2000 and an issue date of November 11, 2005.

Furthermore, the instant application, the US Application No. 10/276,574, International Application No. PCT/AU01/00579 and Australian Application No. PQ7576 all name Kym John Keightley as the sole inventor of the invention disclosed and claimed therein.

Applicant encloses herewith a newly executed Declaration and Power of Attorney in which priority has been claimed from the above-mentioned US 10/276,574, the two International applications and the two Australian applications. Applicant also encloses herewith a Supplemental Application Data Sheet in which the additional priority claims have been inserted.

Should the Petitions Examiner require any additional information, they are invited to contact the undersigned at (330) 244-1174.

Respectfully submitted at Canton, Ohio this 2nd day of August, 2007.

SAND & SEBOLT



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Docket No. 1849023US1ANP

Enclosures - Request for Amendment to the specification
Newly Executed Declaration and Power of Attorney
Supplemental Application Data Sheet
Check - \$1370

REQUEST FOR AMENDMENT TO THE SPECIFICATION OF 10/536,615

Please insert the following paragraph on page 1 of the instant application, immediately following the title:

CROSS-REFERENCE TO RELATED APPLICATIONS

This is a continuation-in-part of U.S. Application Serial No. 10/276,547, now Patent No. 6,964,183, having a 371(c) date of November 14, 2002; the application being a National Stage filing of PCT/AU01/00579 having an international filing date of May 18, 2001; which application in turn claims priority from Australian Application PQ7576, filed May 18, 2000; the entire disclosures of which are incorporated herein by reference. This application is furthermore a National Stage filing of PCT/AU03/01596 having an international filing date of December 1, 2003, which claims priority from Australian Application No. 2002953027, filed November 29, 2002, the entire disclosures of which are incorporated herein by reference.